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ATTORNEY DOCKET NO. CONFIRMATION NO. FIRST NAMED INVENTOR APPLICATION NO. FILING DATE Viktor Andrew Tymchenko 2207/353102 7863 09/10/2001 09/955,007

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Technology Center 2100

EXAMINER VOELTZ, EMANUEL T PAPER NUMBER ART UNIT 2121

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)		
	09/955,007	TYMCHENKO, VIKTOR ANDREW		
Office Action Summary	Examiner	Art Unit		
-	Emanuel T. Voeltz	2121		
The MAILING DATE of this communication app				
Period for Reply		·		
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	i6(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).		
Status				
1) Responsive to communication(s) filed on 10 Se	eptember 2001.			
2a) This action is <b>FINAL</b> . 2b) ☑ This	action is non-final.			
3) Since this application is in condition for allowar closed in accordance with the practice under E	· · · · · · · · · · · · · · · · · · ·			
Disposition of Claims				
<ul> <li>4) Claim(s) 1-30 is/are pending in the application.</li> <li>4a) Of the above claim(s) is/are withdrawn from consideration.</li> <li>5) Claim(s) is/are allowed.</li> <li>6) Claim(s) 1-30 is/are rejected.</li> <li>7) Claim(s) is/are objected to.</li> <li>8) Claim(s) are subject to restriction and/or election requirement.</li> </ul>				
Application Papers				
9)☐ The specification is objected to by the Examine 10)☐ The drawing(s) filed on is/are: a)☐ according to the control of the control o		Examiner		
Applicant may not request that any objection to the				
Replacement drawing sheet(s) including the correct				
11)☐ The oath or declaration is objected to by the Ex	aminer. Note the attached Office	Action or form PTO-152.		
Priority under 35 U.S.C. § 119				
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:  1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list	s have been received. s have been received in Applicati ity documents have been receive ı (PCT Rule 17.2(a)).	ion No ed in this National Stage		
Attachment(s)  1) Notice of References Cited (PTO-892)	4) ☐ Interview Summary	(PTO-413)		
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da	ate		
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	5)  Notice of Informal P 6)  Other:	atent Application (PTO-152)		

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#### UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATEN UNITED STATES PATENT AND TRADEMARK OFFI WASHINGTON, D.C. 20;

#### Examiner's Detailed Office Action

This action is in response to patent application number 09/955,007, filed January 22, 2002.

Claims 1-30 have been examined.

## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-13 and 15-30 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,713,030, granted to Evoy.

Regarding claim 1,

A computer system comprising: a processor having an input (see Evoy, figure 3, Processor Chip 102), and responsive to a signal at said input (see Evoy, figure 3, input to Processor Chip 114a), reducing a power consumption of said processor (see Evoy, figure 3, Clock Generator 114); and a power reduction circuit coupled to said input of said processor and providing a signal to said input of said processor in response to a failure condition affecting said processor such that the power consumption of said processor is periodically reduced (see Evoy, figure 3, Control Unit 110).

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Regarding claim 2,

A computer system according to claim 1, wherein a first signal level of the signal at the input of the processor stops an internal clock of the processor.

Regarding claim 3,

A computer system according to claim 1, wherein said signal provided to said input of said processor in response to said failure condition comprises a periodic signal including at least a first signal level and a second signal level (see Evoy, figure 3, Clock Generator 114).

Regarding claim 4,

A computer system according to claim 1, further comprising a cooling fan directing air toward said processor, wherein said failure condition affecting said processor corresponds to a reduced performance of said cooling fan (see Evoy, figure 4, Fan 124).

Regarding claim 5,

A computer system according to claim 4, said power reduction circuit including a signal generator generating said periodic signal (see Evoy, figure 3, Control Unit 110 and Clock Generator 114).

Regarding claim 6,

A computer system according to claim 5, wherein said signal generator includes inputs corresponding to characteristics of said generated periodic signal (see Evoy, figure 3, Control Unit 110 and Clock Generator 114).

Regarding claim 7,

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A computer system according to claim 5, wherein said signal generator includes an input corresponding to a duty cycle of said generated periodic signal and an input corresponding to a frequency or a period of said generated periodic signal (see Evoy, figure 3, Control Unit 110 and Clock Generator 114).

Regarding claim 8,

A computer system according to claim 1, wherein said power reduction circuit detects a temperature of said processor, wherein said failure condition affecting said processor is detected when said detected temperature of said processor is above a predetermined temperature (see Evoy, figure 3, Thermistor Circuit 116 and Comp. Circuit 118).

Regarding claim 9,

A computer system according to claim 1, wherein said power reduction circuit includes a sensor detecting a temperature of said processor, wherein said failure condition affecting said processor is detected when said sensed temperature of said processor is above a predetermined temperature (see Evoy, figure 3, Thermistor Circuit 116 and Comp. Circuit 118).

Regarding claim 10,

A computer system according to claim 9, wherein said sensor comprises a temperature sensor embedded in a heat sink attached to said processor (see Evoy, figure 4, Heat Sink 126).

Regarding claim 11,

A computer system according to claim 3, said power reduction circuit including a switch providing said periodic signal to said input in response to a presence of said

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failure condition affecting said processor, said switch providing said second signal level to said input in response to an absence of said failure condition affecting said processor (see Evoy, figure 3, Control Unit 110 and Clock Generator 114).

Regarding claim 12,

A computer system according to claim 3, said power reduction circuit including a multiplexor providing said periodic signal to said input in response to a presence of said failure condition affecting said processor, said multiplexor providing said second signal level to said input in response to an absence of said failure condition affecting said processor (see Evoy, figure 3, Control Unit 110 and Clock Generator 114).

Regarding claim 13,

A computer system according to claim 1, wherein said failure condition affecting said processor is a thermal temperature condition corresponding to an overtemperature condition of said processor at or near said processor (see Evoy, figure 3, Thermistor Circuit 116 and Comp. Circuit 118).

Regarding claim 15,

An apparatus for reducing a power consumption of a processor, comprising: a signal generator generating a failure condition signal indicating a failure condition affecting said processor; and a power reduction circuit responsive to said failure condition signal and providing a periodic signal for periodically reducing a power consumption of said processor (see rejection to claim 1 above).

Regarding claim 16,

An apparatus according to claim 15, wherein said apparatus includes said processor, and said processor has a power consumption reduction input, wherein said

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power reduction circuit provides said periodic signal to said power consumption reduction input of said processor in response to said failure condition signal (see rejection to claim 3 above).

Regarding claim 17

An apparatus according to claim 16, wherein an internal clock of the processor is stopped in response to the power consumption reduction input of the processor (see rejection to claim 2 above).

Regarding claim 18,

An apparatus according to claim 15, further comprising a cooling fan directing air toward said processor, wherein said failure condition affecting said processor corresponds to a reduced performance of said cooling fan (see rejection to claim 4 above).

Regarding claim 19,

An apparatus system according to claim 15, said power reduction circuit including a signal generator generating said periodic signal (see rejection to claim 5 above).

Regarding claim 20,

An apparatus according to claim 15, wherein said power reduction circuit includes a sensor detecting a temperature of said processor, wherein said failure condition affecting said processor is detected when said sensed temperature of said processor is above a predetermined temperature (see rejection to claim 8 above).

Regarding claim 21,

An apparatus according to claim 20, wherein said sensor comprises a temperature sensor embedded in a heat sink attached to said processor (see rejection to claim 10 above).

Regarding claim 22,

An apparatus according to claim 16, said power reduction circuit including a switch providing said periodic signal to said power condumption reduction input in response to a presence of said failure condition affecting said processor (see rejection to claim 11 above).

Regarding claim 23,

An apparatus according to claim 16, said power reduction circuit including a multiplexor providing said periodic signal to said power consumption reduction input in response to a presence of said failure condition affecting said processor (see rejection to claim 12 above).

Regarding claim 24,

An apparatus according to claim 15, wherein said failure condition affecting said processor is a thermal failure condition corresponding to an overtemperature condition of said processor at or near said processor (see rejection to claim 13 aboe).

Regarding claim 25,

A method of reducing a power consumption of a processor, comprising steps of: detecting a failure condition affecting said processor; and periodically reducing a power consumption of said processor in response to said step of detecting said failure condition (see rejection to claim 1 above).

Regarding claim 26,

A method according to claim 25, wherein said step of periodically reducing the power consumption of said processor comprises periodically stopping an internal clock of said processor (see rejection to claim 2 above).

Regarding claim 27,

A method according to claim 25, further comprising a step of measuring a temperature at or near said processor and providing said signal indicating a failure condition affecting said processor in response to said measured temperature (see rejection to claim 1 above).

Regarding claim 28,

A method according to claim 25, further comprising a step of providing said signal indicating a failure condition affecting said processor in response to a reduction in performance of a cooling fan (see rejection to claim 4 above).

Regarding claim 29,

A method according to claim 25, wherein said failure condition affecting said processor corresponds to an overtemperature condition of said processor at or near said processor (see rejection to claim 13 above).

Regarding claim 30,

A method according to claim 25, wherein said failure condition affecting said processor is a thermal failure condition affecting a temperature of said processor (see rejection to claim 1 above).

# Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

- 1. Determining the scope and contents of the prior art.
- 2. Ascertaining the differences between the prior art and the claims at issue.
- 3. Resolving the level of ordinary skill in the pertinent art.
- 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evoy in view of U.S. Patent 6,141,762, granted to Nicol et al.

#### Regarding claim 14

A computer system according to claim 1, said computer system further comprising: at least one additional processor each having an input (see Nicol et al., figure 2, Processing Elements 101-104), wherein a power consumption of each processor is reduced in response to a first signal level of the input of that processor and is not reduced in response to a second signal level of the input of that processor (see Evoy, figure 3, input to Processor Chip 114a); and at least one additional power reduction circuit, each said additional power reduction circuit respectively corresponding to each said at least one additional processor and providing a signal to said input of said corresponding processor in response to a failure condition affecting the corresponding processor (see Nicol et al., figure 2, Processing Elements 101-104), wherein said signal provided to said input of said corresponding processor comprises a periodic signal including at least the first signal level and the second signal level (see Evoy, figure 3, Clock Generator 114).

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The patent to Evoy sets forth a thermal management device and method for a single computer processor as seen from claims 1-13 above. Evoy, however, fails to disclose the use of redundant processors. The patent to Nicol et al. teaches the use of multi-processor elements in a power reduction system using redundant processors. It would have been obvious to one of ordinary skill in the art to use the thermal management system of Evoy using redundant processors as taught by Nicol et al. because thermal management of redundant processor systems would be just as necessary as they are for single processor systems. Many applications in the computing environment are turning to the use of redundant processors.

### Prior Art of Record

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The various patents are cited for showing the general state of the art in thermal management of processors.

# Correspondence Information

Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Emanuel Todd Voeltz** who may be reached via telephone at

(703) 305-4563. The examiner can normally be reached Monday through Friday between the

hours of 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send an Official facsimile transmission, please send it to (703) 872-9306. If you would like to send a Non-Official (draft) facsimile transmission the fax

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is (703) 746-5104. If attempts to reach the examiner by telephone are unsuccessful, the

Examiner's Supervisor, Anthony Knight, may be reached at (703) 308-3179.

Any response to this office action should be mailed too: Director of Patents and Trademarks Washington, D.C. 20231.

Moreover, hand-delivered responses should be delivered to the Receptionist, located

on the fourth floor of Crystal Park 11, 2121 Crystal Drive Arlington, Virginia.

Emanuel Todd Voeltz
Primary Patent Examiner
Art Unit 2121
United States Department of Commerce
Patent & Trademark Office

EMANUEL TODO VOELTZ

# Notice of References Cited Application/Control No. O9/955,007 Applicant(s)/Patent Under Reexamination TYMCHENKO, VIKTOR ANDREW Examiner Emanuel T. Voeltz Art Unit Page 1 of 2

#### **U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	Α	US-5,483,102	01-1996	Neal et al.	257/712
	В	US-5,574,667	11-1996	Dinh et al.	700/300
	С	US-5,612,677	03-1997	Baudry, Jean-Jerome C.	340/584
	D	US-5,713,030	01-1998	Evoy, David Ross	713/322
	E	US-5,805,403	09-1998	Chemla, Guy	361/103
	F	US-5,835,885	11-1998	Lin, Huo-Yuan	702/99
	G	US-5,940,786	08-1999	Steeby, Jon	702/132
	Н	US-6,014,611	01-2000	Arai et al.	702/132
	ı	US-6,141,762	10-2000	Nicol et al.	713/300
	J	US-6,226,556 B1	05-2001	Itkin et al.	700/21
	к	US-6,363,490 B1	03-2002	Senyk, Borys S.	713/300
	L	US-6,393,374 B1	05-2002	Rankin et al.	702/132
	М	US-6,415,388 B1	07-2002	Browning et al.	713/322

#### FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	Z	JP358001202A	01-1983	Japan	Nagashima	-
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#### **NON-PATENT DOCUMENTS**

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#### Notice of References Cited

Application/Control No. 09/955,007	Applicant(s)/F Reexamination TYMCHENKO	
Examiner	Art Unit	
Emanuel T. Voeltz	2121	Page 2 of 2

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	Α	US-6,470,238 B1	10-2002	Nizar et al.	700/299
	В	US-6,470,289 B1	10-2002	Peters et al.	702/132
	С	US-6,510,400 B1	01-2003	Moriyama, Shuichi	702/132
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PAT-NO:

JP358001202A

DOCUMENT-IDENTIFIER: JP 58001202 A

TITLE:

CONTROLLER

**PUBN-DATE**:

January 6, 1983

**INVENTOR-INFORMATION:** 

**NAME** 

NAGASHIMA, MASARU

**ASSIGNEE-INFORMATION:** 

NAME

COUNTRY

FUJI ELECTRIC CO LTD

N/A

APPL-NO:

JP56098333

APPL-DATE:

June 26, 1981

INT-CL (IPC): G05B009/02

US-CL-CURRENT: 361/94

#### ABSTRACT:

PURPOSE: To reduce the power consumption more at power failure for a controller inporporated in a processor, by increasing the period of an interruption time at power failure and its waiting time.

CONSTITUTION: The system in provided with a power failure clock CL<SB>2</SB> and a clock switching circuit 9. When a power failure is detected with a power failure detecting circuit 5, a detection signal DE is given to a clock switching circuit 9, which switches the clock of a clock generating circuit 1 from CL<SB>1</SB> to CL<SB>2</SB>. The period of the clock CL<SB>2</SB> is taken longer than the period of the clock CL<SB>1</SB>, resulting that the WAIT

state of a microprocessor is ketp longer, allowing to reduce the power consumption. Further, the signal DE is given to the microprocessor 2 via an I/O device 4, allowing the processor 2 to reduce the power consumption more with the power failure processing which has shorter processing time than the normal processing.

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#### (19) 日本国特許庁 (JP)

10特許出願公開

#### ⑩公開特許公報(A)

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⑤ Int. Cl.³G 05 B 9/02

識別記号

庁内整理番号 6846--5H 砂公開 昭和58年(1983)1月6日

発明の数 1 審査請求 未請求

(全 3 頁)

#### **多制御装置**

②特

願 昭56---98333

②出 願 昭56(1981)6月26日

⑫発 明 者 長島優

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#### 明 網 書

#### 1. 発明の名称

#### 制御装置

#### 2. 特許請求の範囲

平常時には所定周期の側込信号によって起動され、所定の処理動作が終了すると特欄状態となり、次の側込信号で被符機状態を解除して所定の処理動作を行ない、修電時には平常時とは別の予順にで動作を行なり処理を受けて平常時と同間御を平常時において、前記側込信号の時間周期を平常時に体験によって側込信号の時間周期を平常時には設手段によって側込信号の時間周期を平常時には設手段によって側込信号の時間周期を平常時には設手段によって側込信号の時間周期を平常時に対したことを特徴とするようにしたことを特徴とする側側装置。

#### 3. 発明の静韻な説明

この発明は常時は交流電源によつて動作し、停 電時にはパッテリなどによつて動作するマイタロ プロセッサ等の処理装置を用いた制御装置、特に その制御装置における停電時の消費電力低減化方

#### 式に関する。

一般にペッテリなどによって停電補償を行なう 装置においては、補償時間とペッテリ容量などの 関係から、停電補償時の消費電力は極力少ないこ とが確まれる。

第1図は例えばマイクロブロセンサを用いた制 御籍電の従来例を示すプロンク図、第2図はその 動作を説明するための流れ図である。

第1図において、1はクロック発生器、2はマイクロプロセッサ、3はWAIT(特額)回路、4は入出力装置(I/O)、5は停電検出回路、6は電源回路、7はパッテリ、8は切答回路である。

クロフク発生回路1から一定周期毎に発せられるインタラブト(報込み)個号【Nによつてマイクロプロセツサ2が起動されると(①)、マイクロプロセツサ2はこのインタラブト個号【Nを受け付けて以後の報込みを無効にする(②)。マイクロプロセツサ2は所定のプログラムにもとづいて所定の処理を行ない(②)、WAIT命令を実

行すると(①)、データパスDB、アドレスパス AB,[/O(入出力装置)4を介してWAIT 命令信号WTIがWAIT図路3へ送られる。マ イクロプロセンサ2は該回路3からのWAIT債 帯WTによつてWAIT状態になるとともに、次 のインタラブト信号【Nを受付け可能状態にして (⑤)、朝込み要求があるか否かを調べ(⑥)、 新込み要求があれば②に戻つて上記と同様の動作 を繰り返し、なければ次の要求があるまで存儀す る。 マイクロプロセツサ 2 がWAIT状態にある 場合の消費電力は他の動作状態に比べて少なく、 したがつて上記の如くすることによつて消費電力 を低減することができる。ところで、このような 処理難作を行なうマイクロプロセッチ2は平常時 は交流電源回路をからの電力により動作している が、停電検出回路 5 にて停電が検出されると、電 麗 6 を切替回路 8 によつてパッテリ 7 個に切替え、 鉄 パツテリ1より電力を供給する。このため、マ イタロプロセツナ2は停電時にも上記と簡単にし てプログラムを実行し、所定の処理を行なうこと

号を付して示している。

これらの図からも明らかなように、この発明は 第1,2図によつて製明した従来方式に停電時々 ロックでLis、クロック切響回路を付加するとと もに、停電検出信号DBをI/O(入出力装置) 4を介してマイクロプロセッサ2で検出できるようにした、つまり停電か否かの判断機能(第4図 の流れ図①を参照)を持たせるようにしたもので ある。

すなわち、選覧(平常)時においては上述と同様の動作が行なわれるが、停電が停電検出回路 5 によつて検出されると、酸検出信号 D B はクロック 切替回路 9 に与えられるので、クロックを CL<sub>1</sub> から CL<sub>2</sub>に切替える。ここで、選電時クロック CL<sub>1</sub> の周期よりも停電時クロック CL<sub>2</sub>の周期と長くしておけば、それだけマイクロプロセッチの腎 A I T 状態が長くなり、したがつて情景電力を低減することになる。さらに、この停電検出でよどができることになる。さらに、この停電検出でより取る I / O 数個 4 を介してマイクロプロセ

ができる。しかし、この方式では通電時と停電時 の消費電力は同じであり、したがつて停電組使時 間を長くするためにはパッテリ容量を増す必製が ある。しかし、容量を増大することはスペースが 大きくなり、かつ充電回路が複雑になるという間 層がある。

したがつて、この発明の目的は、マイクロプロ セッナ等の処理接便を内蔵する制御装置の停電時 における情費電力をより一層低減することにある。

上記の目的は、この発明によれば、定周期制込信号によつて動作し、停電時にはパッテリ補債によつて駆動されてなる処理装置を内蔵した制御装置の停電時における制込時間周期を長くし、処理装置の停機時間を長くする、つまり低消費電力時間を長くすることにより達成される。

以下、この発明の実施領を製面を参照して説明 する。

第8回はこの発明の実施例を示すプロック図、 第4回は第8回の動作を説明する流れ図である。 なお、第1,2回と同じものについては同一の符

フサ2に与えることにより、マイクロプロセッサ 2において運電時処理よりも処理時間が短かい停 電処理(第3図の①を参照)に何巻えるようにす れば、情養電力をより一層低級することができる。 なお、その他の点については第1回または第2回 の製物と同様であるので者略する。

以上のように、この発明によれば、停電時には パッテリ補償によつてマイクロプロセッサを動作 させ、所定の処理を行わせるようにした制御装置 において、より一層の低消費電力化を図ることが できるため、従来と同じ時間の停電補償をする場 合に、そのパッテリ容量を少なくできる。美言す れば、パッテリ容量が同じであれば停電補償時間 を従来よりも長くすることができるものである。

なお、この発明は上配と同様の構成、すなわち 停電時に処理装置を動作させる必要のある装置一 般に適用可能である。

#### 4. 図面の簡単な説明

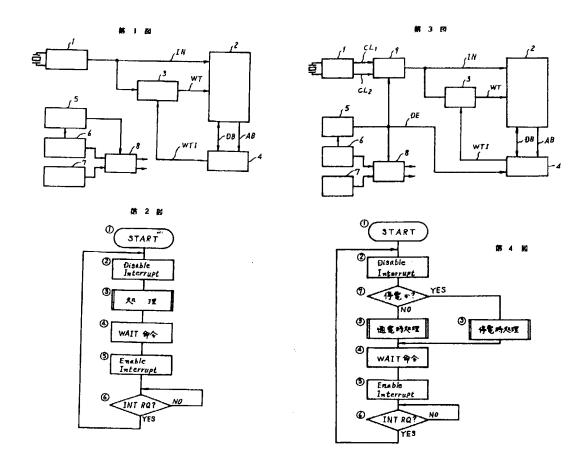
第1回はマイタロプロセツサを用いた制御装置 の従来側を示すプロック図、第2回は第1図の動 作を説明するための流れ図、第3回はこの発明の 実施例を示すプロック図、第4回は第3回の動作 を説明するための流れ図である。

#### 符号説明

1 …… クロック発生回路、 2 …… マイクロプロセッサ、 3 …… WAIT回路、 4 …… I / O (入出力装置)、 5 …… 停電検出回路、 6 …… 電源回路、 7 …… パッテリ、 8 …… 切替回路、 9 …… クロック切替回路、 I N …… インタラブト信号、 WT… … WAIT命令信号、 DB …… データパス、 AB …… アドレスパス、 DB …… 停電検出信号、 CL1, CL1 …… クロック信号

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